

REMARKS

[0003] Applicant respectfully requests entry of the following remarks and reconsideration of the subject application. Applicant respectfully requests entry of the amendments herein. The remarks and amendments should be entered under 37 C.F.R. §1.116 as they place the application in better form for appeal, or for resolution on the merits.

[0004] Applicant respectfully requests reconsideration and allowance of all of the claims of the application. Claims 1-32 are presently pending. Claims 1-6, 8-16, 19-25, 27, 29, 30, and 32 are amended herein; no claims are withdrawn or cancelled herein; and no new claims added herein.

Formal Request for an Interview

[0005] If the Examiner's reply to this communication is anything other than allowance of all pending claims, then I formally request an interview with the Examiner. I encourage the Examiner to call me—the undersigned representative for the Applicant—so that we can talk about this matter so as to resolve any outstanding issues quickly and efficiently over the phone.

[0006] Please contact me or my assistant to schedule a date and time for a telephone interview that is most convenient for both of us. While email works great for us, I welcome your call to either of us as well. Our contact information may be found on the last page of this response.

Request for Withdrawal of Finality

[0007] In accordance with MPEP 706.07(d), Applicant submits that the final rejection is premature. Applicant formally asks that the Examiner reconsider finality on of the rejections in this Action. Applicant submits that the Examiner should withdraw finality because the Examiner has failed to address specific claimed aspects that Applicant has indicated as differing from the cited art.

Failure to address aspects of claims

[0008] Applicant submits that the Examiner has failed to address specific claim language that the Applicant submits distinguishes the claims from the cited references (including the newly cited). It is not that the Examiner disagreed about whether specific claim language distinguishes the claims from the cited references. Rather, it appears that the Examiner has not addressed whether specific claim language distinguishes the claims from the cited references.

[0009] For example, the amendments to claim 29, submitted in the response dated November 8, 2006, have not been addressed by the Examiner in the Office Action dated 1/29/07.

[0010] Accordingly, Applicant requests that the Office withdraw finality and completely re-examine all of these claims anew.

Claim Amendments and Additions

[0011] Without conceding the propriety of the rejections herein and in the interest of expediting prosecution, Applicant amends claims 1-6, 8-16, 19-25, 27, 29, 30, and 32 herein.

Substantive Matters

Claim Rejections under § 112

[0012] Claims 1-32 are rejected under 35 U.S.C. § 112, 1st ¶. In light of the amendments presented herein, Applicant submits that these rejections are moot.

[0013] The claims have been amended to replace the term "selective sub-engine" with "optimized filter sub-engine". This term is clearly defined in the specification, at least on page 4, specifically in the paragraph beginning at line 18. Accordingly, Applicant respectfully requests that the Examiner withdraw this rejection.

[0014] On page 3 of the Office Action, the Examiner states, "the Examiner will assume the selective sub-engine to mean a parsed query that is subjected to a particular sub-engine, such as a constant number of passes over the document and determining the queries answered by each of its elements."

[0015] As is clearly defined in the specification, the claims reference a general filter sub-engine and an optimized filter sub-engine. Based on the text found on page 4 of the specification, the general filter sub-engine is a filter

engine that supports an entire query language, while the optimized filter sub-engine is a filter engine that supports only a subset of the query language. This differs from the definition assumed by the Examiner, and is not disclosed by either of the cited references.

Claim Rejections under § 101

[0016] Claims 15-22 are rejected under 35 U.S.C. § 101. On page 2 of the Office Action, the Examiner states that, “although the applicant has amended claims 15-22 to read a computer-readable storage media, data signals, more specifically, a carrier wave, is used to transport data.” Applicant respectfully disagrees with this statement.

[0017] One page 19, lines 11-19, the specification states:

“Computer storage media” includes, but is not limited to, RAM, ROM, EEPROM, flash memory or other memory technology, CD-ROM, digital versatile disks (DVD) or other optical disk storage, magnetic cassettes, magnetic tape, magnetic disk storage or other magnetic storage devices, or any other medium which can be used to store the desired information and which can be accessed by computer **Error! Reference source not found.00.** **Communication media** typically embodies computer-readable instructions, data structures, program modules or other data **in a modulated data signal such as a carrier wave or other transport mechanism and includes any information delivery media.**

[0018] The specification makes a clear distinction between communication media, which includes carrier waves, and computer storage media, which does not include carrier waves or other transport mechanisms. Accordingly, the claims, which recite, "computer-readable storage media" are clearly directed to statutory subject matter, and comply with the patentability requirements of § 101. Applicant respectfully requests that the §101 rejections be withdrawn. The Applicant further asserts that these claims are allowable.

[0019] If the Examiner maintains the rejection of these claims, then the Applicant requests additional guidance as to what is necessary to overcome the rejection.

Claim Rejections under §103

[0020] Claims 1-32 are rejected under 35 U.S.C. §103. In light of the amendments presented herein, Applicant submits that these rejections are moot. Accordingly, Applicant respectfully requests that the §103 rejections be withdrawn and the case be passed along to issuance.

[0021] The Examiner's rejections are based upon the following references in combination:

- **Altinel:** *Mehmet Altinel, et al.*, non-patent literature titled "Efficient Filtering of XML Documents for Selective Dissemination of Information", 26th VLDB Conference, 2000, pages 53-64;

- **Laks:** Lakshmanan et al., non-patent literature titled "On Efficient Matching of Streaming XML Documents and Queries", University of British Columbia, Canada, 2002, pages 1-20.

Overview of the Application

[0022] The Application describes a technology for filter processing using multiple filter engines.

Cited References

[0023] The Examiner cites Altinel as the primary reference and Laks as the secondary reference in the obviousness-based rejections.

Altinel

[0024] Altinel describes a filter engine that uses a sophisticated index structure and a modified Finite State Machine (FSM) approach to quickly locate and check relevant profiles.

Laks

[0025] Laks describes a MatchMaker system implementation that uses requirements index-based matching algorithms as a core and provides a timely notification service to registered users.

Based upon Altinel and Laks

[0026] The Examiner rejects claims 1-32 under 35 U.S.C. § 103(a) as being unpatentable over Altinel in view of Laks. Applicant respectfully traverses the rejection of these claims and asks the Examiner to withdraw the rejection of these claims.

[0027] As discussed above with reference to the rejections under 35 U.S.C. § 112, 1st ¶, the definition of the term “selective sub-engine” assumed by the Examiner does not correspond to the specification. As amended, the claims include the terms “general filter sub-engine” and “optimized filter sub-engine”, both of which are clearly defined in the specification. The optimized filter sub-engine, as defined, is a filter engine that is configured to handle only a subset of a language, while the general filter sub-engine is a filter engine that is configured to handle the entire language. Neither of the cited references disclose an optimized filter sub-engine, as claimed.

[0028] Accordingly, Applicant contends that claims 1-32, as presented herein, are in condition for allowance.

Conclusion

[0029] All pending claims are in condition for allowance. Applicant respectfully requests reconsideration and prompt issuance of the application. If any issues remain that prevent issuance of this application, the **Examiner is urged to contact me before issuing a subsequent Action.** Please call/email me or my assistant at your convenience.

Respectfully Submitted,

Dated: 7/23/07

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